

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 /033 W

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R 060024Z NOV 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 7385

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E.O. 11652: N/A

TAGS: EAIR, UK

SUBJECT: CIVAIR - EXTRA SECTIONS FOR HOLIDAY FLIGHTS AT  
MIAMI

REF: STATE 265259

GSM AS INSTRUCTED REFTEL, WE DISCUSSED BRITISH AIRWAYS' REQUEST FOR EXTRA SECTIONS FOR HOLIDAYS AT MIAMI WITH UK DEPT. OF TRADE. INITIAL UK RESPONSE WAS ALONG LINE THAT US AND UK GOVERNMENTS MUST AGREE ON ANY DEVIATION FROM LEVELS ALREADY ESTABLISHED FOR WINTER SEASON AT MIAMI. SINCE WE SAID WE COULD NOT ACCEPT THAT VIEW AND IN VIEW OF FACT THAT ROGERS WAS OUT OF LONDON AT THE TIME, WE WROTE TO HIM ASKING FOR UK COMMENT ON OUR VIEWS PROVIDED PARA (2) REFTEL. SUBSTANCE OF ROGERS' RESPONSE OF NOV. 4 FOLLOWS:

AS IAN BROWN HAS ALREADY MENTIONED, WE ARE PREPARED TO LOOK SYMPATHETICALLY ON THE OPERATION BY BOTH SIDES' AIRLINES OF A VERY LIMITED NUMBER OF EXTRA SECTIONS IF THEY ARE GENUINELY NEEDED TO CARRY THE TRAFFIC PEAKS. PROVISION HAS, HOWEVER, ALREADY BEEN MADE FOR TWO EXTRA FLIGHTS IN EACH DIRECTION ON THE MIAMI ROUTE TO CARRY THE ADDITIONAL CHRISTMAS TRAFFIC - ONE OF WHICH IS TO BE OFFSET BY ONE FEWER FLIGHT SOME OTHER TIME IN DECEMBER. IT IS VERY IMPORTANT NOT TO UPSET THESE AND OTHER VERY

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PRECISE ARRANGEMENTS WHICH HAVE BEEN ENTERED INTO. I DO

NOT THINK WE COULD THEREFORE LEAVE IT TO THE AIRLINES TO OPERATE EXTRA SECTIONS AS AND WHEN THEY THINK FIT.

I APPRECIATE THE PROBLEM OF YOUR ANTI-TRUST LAWS BUT IMAGINE THAT THIS COULD BE OVERCOME BY A DISPENSATION FROM THE CAB AS IN THE PAST.

ALTERNATIVELY, YOU AND WE MIGHT FOLLOW MUCH THE SAME ROUTE AS BEFORE. IF YOU COULD ENQUIRE FROM YOUR AIRLINES WHAT (IF ANY) EXTRA SECTIONS THEY PROPOSE AND WE MAKE SIMILAR ENQUIRIES FROM BRITISH AIRWAYS, YOU AND IAN BROWN MIGHT PUT YOUR HEADS TOGETHER QUITE INFORMALLY AND COME TO AN AGREED CONCLUSION AS TO HOW ANY EXTRA SECTION REQUIREMENT COULD BEST BE MET.

IF YOU AGREE WITH THIS PROCEDURE, WILL YOU PLEASE GET IN TOUCH WITH IAN BROWN AND MAKE THE NECESSARY ARRANGEMENTS?

2. UK APPARENTLY UNWILLING TO ALLOW UNILATERAL CARRIER DECISION ON CAPACITY EVEN ON LIMITED EXTRA SECTION BASIS WITHOUT AGREEMENT BETWEEN CARRIERS AND/OR GOVERNMENTS BEFOREHAND. WHAT UK APPARENTLY WANTS TO ESTABLISH IS A PRECEDENT FOR CARRIER/GOVERNMENT AGREEMENT ON CAPACITY CHANGES VERY SIMILAR TO THAT DESCRIBED IN "METHOD 7" OF THE PAPER ON "NORTH ATLANTIC CAPACITY PLANNING" WHICH THE TABLED AT THE OCT. 18-22 RENEGOTIATION MEETINGS IN WASHINGTON.

3. IT APPEARS TO US THAT IN THE MIAMI MARKET WE ARE NOW IN A SITUATION WHICH THE BRITISH WOULD CONSIDER IS VERY MUCH LIKE THAT DESCRIBED BY THEM IN THEIR "METHOD 7" OF

CAPACITY FOR MIAMI HAS, IN FACT, BEEN ESTABLISHED FOR THE 76/77 WINTER SEASON. THE BRITISH MAINTAIN THAT VARIATIONS FROM THAT BASE CAN ONLY BE IMPLEMENTED AFTER AGREEMENT BETWEEN CARRIERS SUBJECT TO EXPLICIT OR IMPLICIT GOVERNMENT APPROVAL. IN THIS SITUATION, IT WOULD SEEM TO BE TO OUR ADVANTAGE TO MAINTAIN THE POSITION DESCRIBED IN DEPT'S REFTEL. THE RESULT OF SO DOING MIGHT WELL BE THAT UK WILL REFUSE TO ALLOW ANY CHANGE IN CAPACITY LEVELS AT LIMITED OFFICIAL USE

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MIAMI BY ADDITION OF EXTRA SECTIONS. UNLESS THIS WOULD PROVE DAMAGING TO NATIONAL OR RESULT IN UNACCEPTABLE INCONVENIENCE TO PUBLIC, POINT WOULD BE MADE THAT REGID PREDESIGNATION OF CAPACITY REGIMES AS PROPOSED BY BRITISH ARE IMPRACTICABLE TO OPERATE AND WOULD INVARIABLY, AS IN THIS INSTANCE, REQUIRE CONSTANT INTERVENTION AND TINKERING BY GOVERNMENTS.

4. ACTION: DEPARTMENT'S INSTRUCTIONS ON HOW WE SHOULD  
REPLY TO ROGERS' LETTER ARE REQUESTED.

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## Message Attributes

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